



# APPLICATION SPECIAL USE PERMIT

Sup 2009-0055

## ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

☒ Change of Ownership

☒ Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 4911 Brenman Park Drive  
TAX MAP REFERENCE: 058.02-0E-2.RS ZONE: CDD-9

### APPLICANT

Name: Rhoda Worku  
Address: 6210 Apache St, Springfield VA 22150

### PROPERTY OWNER

Name: Main St Retail LLC  
Address: 8614 Westwood Center Dr. Suite 900 Vienna, VA 22182  
SITE USE: Restaurant

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Rhoda Worku  
Print Name of Applicant or Agent  
6210 Apache St.  
Mailing/Street Address  
Springfield VA 22150  
City and State Zip Code

Rhoda Worku  
Signature  
703-566-1283/ 703-566-1196  
Telephone # Fax #  
RhodaWorku@aol.com  
Email address  
9/3/2009  
Date

### DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: \_\_\_\_\_  
Legal advertisement: \_\_\_\_\_  
ACTION - PLANNING COMMISSION \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_  
ACTION - CITY COUNCIL: \_\_\_\_\_

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Special Use Permit # 2004-0017

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2004-0017

Date approved: May / 15 / 2004  
month day year

Name of applicant on most recent special use permit Michael Fleming

Use Resturant

2. Describe below the nature of the **existing operation in detail** so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

Please see SUP

Docket Item #12  
SPECIAL USE PERMIT #2004-0017

Planning Commission Meeting  
May 4, 2004

**ISSUE:** Consideration of a request for a special use permit amendment to allow for the expansion of a restaurant and a parking reduction.

**APPLICANT:** Cameron Perks Coffeehouse  
by Michael Fleming

**LOCATION:** 4911-13 Brenman Park Drive

**ZONE:** CDD-9/Coordinated Development District

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**CITY COUNCIL ACTION, MAY 15, 2004:** City Council approved the Planning Commission recommendation.

**PLANNING COMMISSION ACTION, MAY 4, 2004:** On a motion by Mr. Komoroske, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and recommended permit conditions and to delete Condition #17. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with staff's analysis, but deleted Condition #17, a standard condition, because there is no or little off-street parking available.

**Speakers:**

Michael Fleming, the applicant, spoke in favor of the special use permit.

Joe Bennett, resident of Cameron Station representing the Cameron Station Civic Association, spoke in favor of the application.

**STAFF RECOMMENDATION:** Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

## **I. DISCUSSION**

### REQUEST

The applicant, Michael A. Fleming, requests special use permit expansion of the existing restaurant/coffeeshop located at 4911 Brenman Park Drive and a parking reduction.

### SITE DESCRIPTION

The subject property is part of one lot of record with approximately 200 feet of frontage on Somerville Street, approximately 470 feet of frontage on Brenman Park Drive. The site is developed with two four story buildings consisting of ground floor retail and personal service space and three floors of residential space above, as anticipated by the approved plan for Cameron Station Phase I. The subject business is currently occupying 1,017 square feet of space on the northwest corner of Brenman Park Drive and Comay Terrace and is proposed to expand into the adjacent 1,044 square feet tenant space. Surrounding uses include a day spa, dry cleaner, dentist office, market and a pets retail store. South of the subject property is Phase III of Cameron Station which is still under construction. Phase III is proposed to be occupied by mixed uses with retail on the first floor, and residential above. An application for a restaurant (SUP#2004-00016) to occupy the southwest corner of Brenman Park Drive and Somerville Street is also before the Planning Commission in May 2004.

### CURRENT RESTAURANT CHARACTERISTICS

The applicant is operating a coffeehouse with 21 seats, including six seasonal outside seats, that serves coffee, specialty beverages, fountain drinks, pastries and desserts, soups and salads (see attached menu). All food is prepared off-site. The applicant does not sell any alcohol, nor does it currently provide entertainment. The approved hours of operation for the coffeehouse are from 6:00 A.M. to 11:00 P.M. daily. Between 100 and 150 customers patronize the business per day. The coffeehouse is operated by the applicant and three part-time employees.

Trash consists mainly of coffee grounds, cups, and napkins. In accordance with the approved site plan, the applicant uses a trash compactor which is located behind the loading space on the east side of Comay Terrace across the street from the coffee shop, and which is shared by businesses on Brenman Park Drive and emptied three times a week. Trash bins are provided outside near the front door.

Small delivery trucks deliver baked goods to the café early each morning. Business supplies are delivered once a week. Loading occurs immediately in front of the business.

### PROPOSED EXPANSION OF THE RESTAURANT

The applicant proposes to add the commercial space at 4913 Brenman Park Drive to its current location at 4911 Brenman Park Drive and seeks permission to add 36 seats to the approved coffeehouse, twelve of which are seasonal outdoor seats. The existing and proposed space will be connected through a large french door. The applicant states that the expansion is primarily proposed

to accommodate the daily demand for additional seating for local patrons, which will significantly increase with the opening of the condominium buildings in Phase III.

In addition, the applicant seeks permission to amend condition # 4 to allow entertainment in the form of a small three-piece ensemble several times per month. The entrance door will be closed at all times and no outdoor speakers are proposed.

No other changes are proposed to the operation of the restaurant.

Staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

#### PARKING

The existing coffee shop occupies 1,017 square feet and complies with the technical parking requirement. This application proposes to add 1,044 square feet of commercial space to the coffee shop. The technical parking requirement for a restaurant is one space for every four seats. In this case, the restaurant is proposing 24 additional indoor seats, and twelve seasonal outdoor seats, which requires nine spaces.

The number of parking spaces for the commercial space within Phase I and III of Cameron Station was determined at the approval of each phase and calculated in accordance with the Zoning Ordinance through two ratios: (1) the parking ratio assumed for the retail space is 1.2 spaces for every 210 square feet of floor area, and (2) the parking ratio assumed for the personal service space is 1 space for every 400 square feet of floor area. Based on the floor area proposed to be dedicated to these uses, a total of 41 parking spaces has been provided for the commercial spaces within Phase I and a total of 47 parking spaces has been provided for the commercial spaces within Phase III, all consistent with those zoning ordinance ratios. Brenman Park Drive has been designed to accommodate short term public parking on both sides of the street and around the large median.

In an effort to distribute the dedicated parking spaces evenly among uses that were not included in the initial parking calculation for 'retail' or 'personal services', such as restaurants and professional offices, and in order to maintain sufficient parking for a variety of future uses, staff conducted a parking analysis and found that the size of the tenant space and the equal application of both retail and personal services ratio are reasonable approaches for the calculation and allocation of parking spaces. In this case, the applicant is occupying 1,044 square feet, which, if halved for purposes of allocating spaces from the amount provided, would require two parking spaces for a personal services use ( $522 \text{ sf.} / 400 = 2$ ) and three spaces for a retail use ( $522 \text{ sf.} / 210 \times 1.2 = 3$ ). Staff compared the number of spaces required for the restaurant (nine) to the number of spaces required by the retail and personal services ratio (five), resulting in a deficit of four spaces. Therefore, the applicant is requesting a parking reduction of four spaces.

ZONING / MASTER PLAN

The subject property is located in the CDD-9/Cameron Station zone which permits residential, retail, open space and public school uses. The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for CDD-9 uses.

II. STAFF ANALYSIS

Staff supports the proposed expansion of the coffeehouse located at 4911 Brenman Park Drive into the space at 4913 Brenman Park Drive and recommends approval of the parking reduction. This use is the type of pedestrian oriented, neighborhood serving use envisioned for the retail spaces in Cameron Station. The applicant is proposing outdoor seating which will enliven the streetscape during summer months.

Staff supports the parking reduction and agrees with the applicant that the typical patron is a Cameron Station resident who comes to the coffeehouse either on foot or on bicycle, thus reducing the hypothetical parking demand. Other city residents who utilize the recreational and parking facilities in Ben Brenman Park will be within walking distance of the coffeehouse and will not require additional parking in the neighborhood. With the opening of the condominium building in Phase III, located directly across the street, the applicant will gain customers without any need for parking spaces.

Staff has retained the standard restaurant conditions and a condition requiring a review of the restaurant addition after it has been operational for one year. At that time, if there are violations or parking problems as a result of the additional seats, additional conditions may be imposed. With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2003-0061)
2. Seating shall be provided for no more than 57 patrons inside and outside. (P&Z)

3. Outside dining facilities may be located on private property and shall not encroach onto the public right-of-way. The applicant shall ensure that pedestrian access is provided past the outdoor seating and shall clean and wash the seating area at the close of each day of operation. (P&Z)
4. Indoor live entertainment shall be permitted in form of small musical ensembles to the extent that no amplified sound is audible outside the restaurant. No admission or cover fee shall be charged. (P&Z)
5. The closing hours for indoor seating shall be 12:00 midnight daily, the closing hours for the outdoor seating shall be 10:00 P.M. daily. (P&Z)
6. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z) (SUP #2003-0061)
7. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2003-0061)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2003-0061)
9. The applicant shall install at least one trash container within the restaurant for customers' use. (P&Z) (SUP #2003-0061)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z) (SUP #2003-0061)
11. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2003-0061)
12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be

washed into the streets, alleys or storm sewers. (T&ES) (SUP #2003-0061)

13. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP #2003-0061)
14. No amplified sound shall be audible at the property line. (P&Z) (SUP #2003-0061)
15. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police) (SUP #2003-0061)
16. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP #2003-0061)
17. Condition deleted. (PC)
18. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)
19. No alcohol service shall be permitted. (P&Z)



19. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Bettina Irps, Urban Planner.

3. Describe any proposed *changes* to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

~~Beer and Wine~~ No ~~Rep~~  
Changes

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4. Is the use currently open for business? \_\_\_\_ Yes ☒ No

If the use is closed, provide the date closed.

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
month day year

5. Describe any proposed changes to the conditions of the special use permit:

~~Beer and Wine~~ No ~~any~~  
changes

6. Are the hours of operation proposed to change? \_\_\_\_ Yes ☒ No

If yes, list the current hours and proposed hours:

Current Hours:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Hours:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Will the number of employees remain the same? ☒ Yes \_\_\_\_ No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

\_\_\_\_\_

Proposed Number of Employees:

\_\_\_\_\_

8. Will there be any renovations or new equipment for the business? \_\_\_\_ Yes ☒ No

If yes, describe the type of renovations and/or list any new equipment proposed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Are you proposing changes in the sales or service of alcoholic beverages? ☒ Yes ☒ No

If yes, describe proposed changes:

~~Beer and Wine~~ No ~~any~~

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10. Is off-street parking provided for your employees? \_\_\_\_ Yes ☒ No  
If yes, how many spaces, and where are they located?

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11. Is off-street parking provided for your customers? \_\_\_\_ Yes ☒ No  
If yes, how many spaces, and where are they located?

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12. Is there a proposed increase in the number of seats or patrons served? \_\_\_\_ Yes ☒ No  
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

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13. Are physical changes to the structure or interior space requested? \_\_\_\_ Yes ☒ No  
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? \_\_\_\_ Yes ☒ No  
If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

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15. The applicant is the (check one) \_\_\_\_ Property owner ☒ Lessee

\_\_\_\_ other, please describe: \_\_\_\_\_

16. The applicant is the (check one) \_\_\_\_ Current business owner ☒ Prospective business owner

\_\_\_\_ other, please describe: \_\_\_\_\_

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17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

**Please provide ownership information here:**

Entity to be Cameron Café, LLC  
- owned by: Rhoda Worku (50%)  
Meskerem Kifle (50%)